



INTER-AGENCY DISPUTE RESOLUTION WORKING GROUP

WORKPLACE DISPUTES SECTION

Contact Information:
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Fiscal Year 2000 ACTIVITIES:

Brown-Bag Conferences and Volunteer Programs

May 24	Organizational meeting Presenter: Andrew Colsky, US Postal Service
May 25	Mentor program organizational meeting Presenter: Andrew Colsky, US Postal Service
June 7	Obtaining buy-in for your agency's ADR program Presenter: Diane Lipsey, ADR Vantage
June 21	Developing an ADR program in a unionized workplace Presenter: Kevin Kraham, Ford & Harrison, LLP
July 5	Vacation
July 12	Volunteer meeting Committee volunteers
July 19	ADR program implementation, marketing and promotion Presenter: Jeff Paquin, Michelle Wecksler, Ernst & Young
July 26	Volunteer follow-up meeting Committee volunteers
August 2	Ethics Presenter: Julia Roig, Office of Special Counsel
August 16	"Confessions of a Practitioner: How I convince Management to support an ADR program" Presenter: Martin Payson, Jackson Lewis

August 30	TBD
September 6	Preparing managers for ADR sessions Presenter: Erik J. Van Slyke, Deloitte & Touche LLP
September 20	TBD

Projects

- **ADR mentoring program**

The working group maintains a roster of individuals who have volunteered to serve as mentors for various issues involved in ADR program design and implementation. Individuals who are in need of mentoring can contact the group and receive information about mentors. After obtaining mentor information, the requesting individual is instructed to contact several possible mentors and develop an individualized working plan. Several agencies have requested mentoring including the Department of Labor, the Smithsonian Institute, the Department of Transportation, HRSA, the Corporation for National Services and the Department of Energy.

- **Mini-arbitration program**

The working group recognizes that many agencies are in the early stages of developing ADR programs for the workplace. One of the most popular techniques in use is mediation. Many agencies report a high degree of success with their mediation programs and plan to continue their use. The issue has arisen, however, that if a case is not appropriate for mediation or if a case is not satisfactorily resolved in mediation, the parties are forced to resort to traditional methods of processing. These traditional methods are often lengthy and frustrating for all parties involved.

In an effort to supplement existing ADR initiatives, the working group is exploring the development of a shared arbitrator program to conduct mini-arbitrations. A mini-arbitration is similar to a mini-trial and would offer a fast and inexpensive “rights based” avenue for the resolution of disputes that could not be resolved in an “interest based” manner. The mini-arbitration program has the potential to address and resolve many of the remaining cases that are currently left to the traditional administrative and litigation processes.

- **Universal roster of neutrals**

One of the common concerns expressed by our membership is that their agency may have developed mediation programs but do not know how to find qualified mediators. Currently members are forced to call on colleagues for recommendations. This process is lengthy and not formalized. The working group is exploring the possibility of developing a roster of information about qualified mediators that would be available to the group.

- **Universal roster of trainers**

Once an agency develops an ADR program, it is important to conduct training. Unfortunately, at the current time, there is no easily accessible list of qualified trainers available for member's use. The proposed list would be open to all qualified submissions. In addition to including information about trainers and training programs, users would be able to comment about their experiences.

- **ADR neutral training programs (shared costs)**

Once an agency establishes an ADR program, a need may exist for ADR training such as mediation or arbitration, etc. However, it is often cost prohibitive to hire an in-house trainer for three to four people. It is also expensive to send those same people out to a training conference. Some agencies would like the opportunity to pool their resources and divide their cost of training. If this initiative is accomplished, member agencies will have access to quality training programs at affordable rates.

- **Co-mediation opportunities**

Many agency personnel are being trained in mediation skills to serve as mediators for internal mediation programs. Currently, once these mediators complete their training they have a hard time gaining practical experience. It has been suggested that the working group explore options to provide co-mediation opportunities to newly trained mediators.

- **Database of shared ADR forms and materials**

ADR use is growing throughout the government. New programs are being explored and others are being revised. Throughout this process, a number of agencies are developing forms and materials that they use to administer their programs. Working group members have requested the development of a database containing ADR forms and materials. The creation of this database is another way the working group can assist agencies in the development of quality initiatives.